

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: BACHINSKI ET AL. Examiner: UNKNOWN
Serial No.: 10/802,538 Group Art Unit: 3749
Filed: MARCH 17, 2004 Docket: 12929.1101US01
Due Date: JUNE 17, 2004
Title: HEATING APPLIANCE CONTROL SYSTEM

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 2, 2004.

By: Andrea Endris

Name: Andrea Endris

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

23552

PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449, 36 Reference(s); 3 Enclosed
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
P.O. Box 2903, Minneapolis, MN 55402-0903
612.332.5300

By: Joshua N. Randall

Name: Joshua N. Randall

Reg. No.: 50,719

JNR:ae



10/802,538

PATENT

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Applicant:	BACHINSKI ET AL.	Examiner:	UNKNOWN
Serial No.:	10/802,538	Group Art Unit:	3749
Filed:	MARCH 17, 2004	Docket No.:	12929.1101US01
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 8, 2004.

By:

Andrea Endris

Name: Andrea Endris

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. §1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.


Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: _____

July 8, 2004



Joshua N. Randall
Reg. No. 50,719
JNR:ae

FORM 1449* PTO JUL 12 2004 PATENT & TRADEMARK OFFICE	INFORMATION DISCLOSURE STATEMENT		Docket Number: 12929.1101US01	Application Number: 10/802,538
	IN AN APPLICATION		Applicant: BACHINSKI ET AL.	
	(Use several sheets if necessary)		Filing Date: MARCH 17, 2004	Group Art Unit: 3749

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2002/0184815	12/12/2002	Scott et al.			
	2002/0166554A1	11/14/2002	Berg			
	4,169,709	10/02/1979	Stima			
	4,253,045	02/24/1981	Weber			
	4,818,249	04/04/1989	Barrett, Jr.			
	5,033,455	07/23/1991	Eiklor et al.			
	5,099,591	03/31/1992	Eiklor, et al.			
	5,118,539	06/02/1992	Sebby, et al.			
	5,195,820	03/23/1993	Rehberg			
	5,218,953	06/15/1993	Shimek et al.			
	5,429,495	07/04/1995	Shimek et al.			
	5,450,841	09/19/1995	Whitaker et al.			
	5,524,609	06/11/1996	Krull			
	5,594,802	01/14/1997	Berghoff et al.			
	5,633,985	05/27/1997	Severson et al.			
	5,635,898	06/03/1997	Walters et al.			
	5,774,040	06/30/1998	Lastoria			
	5,798,946	08/25/1998	Khesin			
	5,826,357	10/27/1998	Hechler			
	5,832,431	11/03/1998	Severson et al.			
	5,861,798	01/19/1999	Ankele, Jr.			
	5,868,804	02/09/1999	Williams, et al.			
	5,890,485	04/06/1999	Shimek et al.			
	5,949,522	07/07/1999	Manne			
	6,017,373	01/25/2000	Frisch			
	6,029,705	02/29/2000	Happe			

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 12929.1101US01	Application Number: 10/802,538
	Applicant: BACHINSKI ET AL.	
	Filing Date: MARCH 17, 2004	Group Art Unit: 3749

	6,162,045	12/19/2000	Hazard			
	6,230,140	05/08/2001	Severson et al.			
	6,314,191	11/06/2001	Smith			
	6,385,881	05/14/2002	Hess			
	6,527,541	03/04/2003	Lochschnied			
	6,537,058	03/25/2003	Evans et al.			
	6,537,059	03/25/2003	Lochschnied			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		U.S. Unpublished Patent Application No. 10/769,557; filed on 01/30/2004; inventor Maiello et al.; entitled EXHAUST SYSTEM FOR OPEN FRONT FIREPLACE; 25 pages.
		U.S. Unpublished Patent Application No. 10/719,037; filed on 11/19/2003; inventor Lyons et al.; entitled BACKLIGHTING SYSTEM FOR A FIREPLACE; 29 pages.
		Lennox Hearth Products webpages regarding Lennox Reflections™ Electric Fireplace; www.hearthproducts.com/asp/Reflections_info/Reflections_info.html dated December 5, 2003; 2 pages.

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